

**AMENDMENT TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

Please amend the claims as follows:

Claims 1-6. (Cancelled)

Claim 7. (Currently amended) A cosmetic preparation comprising a dermatologically acceptable carrier and the surface-modified pyrogenically produced, nanoscale zinc oxide powder ~~of Claim 1, comprising aggregates and having the following physico-chemical characteristic data:~~

BET surface areas:  $18 \pm 5$  m<sup>2</sup>/g

C content: 0.5 to 1.0 wt.%,

average diameter: 50 to 300 nm,

shape factor F (circle) of below 0.5,

wherein the surface modification includes silanization with a surface modifying agent selected from the group consisting of:

Organosilanes of the type  $(RO)_3Si(C_nH_{2n+1})$  and  $(RO)_3Si(C_nH_{2n-1})$

R = alkyl, including methyl-, ethyl-, n-propyl-, i-propyl-, butyl-

n = 1 – 20, and

wherein the dermatologically acceptable carrier is a member selected from the group consisting of octocrylene, ethylhexyl methoxycinnamate, phenylbenzimidazole sulfonic acid, and bis-ethylhexyloxy methoxyphenyl triazine.

Claims 8 - 10. (Cancelled)

Claim 11. (Currently amended) A sunscreen preparation according to claim 9, wherein comprising a dermatologically acceptable carrier and the surface modified pyrogenically produced, nano-scale zinc oxide powder, comprising aggregates and having the following physico-chemical characteristic data:

BET surface areas:  $18 \pm 5 \text{ m}^2/\text{g}$

C content: 0.5 to 1.0 wt.%,

average diameter: 50 to 300 nm,

shape factor F (circle) of below 0.5,

wherein the surface modification includes silanization with a surface modifying agent selected from the group consisting of:

organosilanes of the type  $(\text{RO})_3\text{Si}(\text{C}_n\text{H}_{2n+1})$  and  $(\text{RO})_3\text{Si}(\text{C}_n\text{H}_{2n-1})$

R = alkyl, including, methyl-, ethyl-, n-propyl-, i-propyl-, butyl-  
n = 1 – 20, and

wherein the dermatologically acceptable carrier is a member selected from the group consisting of octocrylene, ethylhexyl methoxycinnamate, phenylbenzimidazole sulfonic acid, and bis-ethylhexyloxy methoxyphenyl triazine.

Claims 12 - 14. (Cancelled)

Claim 15. (New) The cosmetic preparation according to claim 7, further comprising w/o emulsion wherein the zinc oxide is incorporated into the oily phase.

Claim 16. (New) The sunscreen preparation of claim 11, further comprising w/o emulsion wherein the zinc oxide is incorporated into the oily phase.

Claim 17. (New) The cosmetic preparation according to claim 7, wherein the surface modifying agent is trimethoxyoctylsilane.

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Claim 18. (New) The sunscreen preparation of claim 11, wherein the surface modifying agent is trimethoxyoctylsilane.